

From: Bruce Pleas
Sent: Tuesday, April 11, 2006 9:55 PM
To: Barbara Robenson; Louis Abrams
Subject: Fw: Charter Com Q & Comments

CHARTER COMMISSION

Possible Charter Amendments

As of Meeting of 3-20-06

1. Should there be a term limit for the Council? **Yes there should be term limits with a total of 8 years allowed as a Council member.**
2. Should there be districts for the Council? **Yes there should be districts for 5 Council members with the districts being divided as such; each district should have 1/5 of the resident population of Kauai (plus or minus 2% deviation from the 1/5 number per district) derived from the 2000 Census with the redistricting being mandated to be revised every 10 years within 2 years of the latest census (2010 Census will have the redistricting done by December 31, 2012). There should be 2 Council members elected at large with these 2 Council members being the Council Chair (most votes) and Deputy Council Chair (second place).**
3. Must a candidate be a resident of the District? **Yes a candidate shall be a resident of that district and have lived in that district for at least the last 2 years or as long as the Council terms are (4 years if the Council terms are 4 years).**
4. Can only residents in the district vote for the candidate seeking to represent the district? **Yes the resident can only vote for a district candidate in the district they are voting in. A resident of Koloa who has and has been voting in Kekaha (for whatever reason) will vote for the candidate that will represent the Kekaha district. If they live in Koloa and vote in Kekaha and want to vote for the representative for Koloa they must change their voting place to Koloa to vote for that representative.**
5. Should there be limitations on who can vote for a Council candidate at large? **No any resident of Kauai who is a registered voter shall be able to vote for the at large candidates.**
6. Shall Council members be required to serve full time? **Yes Council members should be full time.**
7. Should salaries of Council members be fairly increased in the event Council members must serve full time? **Yes.**
8. If Council members have a conflict of interest must they recuse themselves from debate and voting on a measure? **Yes and this should cover any sort of conflict of interest, past and present. An example would be that any Council member who works in the visitor industry should not be able to participate in any way on any agenda item that has any connection at all with the visitor industry, even in an indirect way such as Vacation Rentals, zoning of visitor destination, etc.**
9. Shall County be required to request that State Auditor perform an audit? **The County should mandate yearly audits by a third party to be completed 1 month before the budget is presented to the Council and have the State Auditor perform a complete County audit every 5 years that would also be done 1 month before the budget is presented to the Council. Another time frame for the audit to be completed is before the Finance Dept./Mayor prepare their initial budget, whenever that is.**

10. Shall all County public records be published on the County's website? **Yes and they shall be published before any item is allowed on any agenda so that the public has the information to present intelligent comments to any government entity. Before any item is allowed on an agenda it shall be published 7 days before the item is on an agenda.**

11. Shall the Salary Commission recommendations for department heads and County Council members be effective unless vetoed by 5 members of the Council? No, a majority of the Council members would be needed to pass or veto the recommendation(s) of the Salary Commission (4 votes).

12. Shall there be an Office of Commissions and Boards administrator? **Not familiar enough to make a comment.**

13. Shall all Boards & Commissions consist of a minimum of 7 members, excluding ex-officio members? **Yes.**

14. Shall all Boards & Commissions have staggered terms? **Yes.**

15. Shall all members of Boards & Commissions be appointed by the Mayor and approved by the Council? **Yes.**

16. Change name, responsibility and authority of the Cost Control Commission to Revenue & Cost Control Commission with necessary changes to authority of the Commission? **Not familiar enough to make a comment.**

17. Shall a new Fire Commission be created with appropriate duties & responsibilities including the authority to hire & fire the Chief? **No, the Fire Chief should be appointed by the Mayor and approved by the Council. I would consider abolishing the Police Commission and have the Police Chief appointed by the Mayor and approved by the Council.**

18. Shall the Charter Commission be a permanent Commission with 7 members serving staggered terms appointed by the Mayor & approved by the Council? **Yes. I would like to see a permanent Charter Commission so that changes to the Charter can be present every 2 years to keep the Charter up to date and have the Charter able to address the constantly changing conditions of government/life on Kauai.**

19. Shall there be a new Parks & Recreation Department? **Yes.**

20. Shall a licensing requirement for the County Engineer be removed? **Yes but only if there are sufficient requirements that assure the County Engineer is qualified to hold that position.**

21. Shall there be spending limits for the Kaua'i County operating budget? **No. To set spending limits could present problems such as now when so much maintenance of County facilities and infrastructure has been neglected and massive amounts of monies are needed to bring these facilities and infrastructures even back up to speed for the present needs of Kauai's residents.**

22. Shall there be a Real Property Tax Department? **Yes.**

23. Shall signature requirements involving initiative and referendum be reduced from 20% to 5%? **Yes.**

24. Shall the number of the signatures requirement for recall be reduced from 20% to 5%? **Yes.**

25. Shall all material requirements for citizen-initiated petitions to be placed on the ballot be specified in the Charter? **Yes.**

26. Shall there be a County Manager form of government? **Yes. The form of government should have an elected Mayor that is elected for their vision of where Kauai is going for the next 4 years, a County Manager that is appointed by the Mayor then approved by the Council and a Council that is elected as stated in questions #2 and #3.**

27. Shall the County Attorney be elected for a term of 4 years? **No. The County Attorney should continue to be appointed by the Mayor and approved by the Council.**

Additional Charter amendments

1 The Planning Commission should be by district, not profession, be either part or full time and be paid a salary.

2. The Planning Commission should meet weekly like the Council.

3. The Kauai Historical Preservation Review Commission should be given the same status and powers as the Planning Commission, be renamed the Kauai Historical Preservation Commission with all agenda items that go thru the Planning Commission going thru the Historical Planning Commission first.

4. All Council and Commission meetings should be limited to 8 hours with a 1 hour food break and any outstanding agenda items would be continued to the next day.

5. Consider having all Department Heads appointed by the Mayor and approved by the Council.

6. The Liquor Commission should be appointed by the Mayor and approved by the Council.

7. Employees and officers of the State or County **shall not** be eligible to serve on any boards or commissions. (Article XXIII, Sec 23.02 Part i)

Mahalo,
Bruce Pleas